IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3520 OF 2007

Bandu Krishna Bhagwat ..Applicant

V/s.

The State of Maharashtra ..Respondent

Mr.Mahesh Pahane, advocate, for applicant
Ms.S.D.Shinde, Assistant Public Prosecutor, for the State

CORAM : V.C.DAGA, J.

DATE : 31ST OCTOBER, 2007

P.C.

1. Heard learned counsel for applicant and the learned APP. The applicant is seeking bail in C.R.No.145/2007 registered with Tembhurni Police Station, Taluka Madha, District Solapur for the offence punishable under Sections 306, 420 read with 34 of the Indian Penal Code.

2. This application has been moved after suffering adverse order dated 17th October, 2007 in Criminal Miscellaneous Application No.1063 of 2007 passed by Ad-hoc Sessions Judge, Solapur.

3. The facts mentioned in the order are not disputed. It appears that there was property transaction between Bandu and deceased Anil. Initially, the land was owned by the present applicant, which was purchased by Anil. Bandu, thereafter, appears to have obtained certain documents from Anil in his favour.

4. It further appears that the document executed in favour of the present applicant was not registered. With the result the title of the immovable property remained with Anil. It appears that Bandu did not allow Anil to enter into possession of the property though he had sale deed in his favour. It further appears that with the intervention of the villagers the dispute between them was sought to be settled. However, it appears that the dispute between them did not die. On 15th January, 2007 at about 10.00 A.M. Anil was found unconscious on Pune – Solapur Highway at village Tembhurni near Sanket Mangal Karyalaya. He was admitted in the hospital. Thereafter, he was

declared dead.

5. The land in question appears to be the bone of dispute between them. That may be a motive behind this crime. Any how, looking to the prima facie material on record and that the investigation is incomplete, it will not be safe to enlarge the accused on anticipatory bail. The application is thus rejected.

(**V.C.DAGA, J.**)